REMARKS

This Amendment is in response to the Office Action dated September 19, 2006. All objections and rejections are respectfully traversed.

Claims 1-26 are in the case.

No claims are currently amended.

New claims 27-30 are currently added.

Request for Interview

The Applicant respectfully requests a telephonic interview with the Examiner after the Examiner has had an opportunity to consider this Amendment, but before the issuance of the next Office Action. The Applicant may be reached at 617-951-3074.

Rejections under 35 U.S.C. §102

At paragraph 2 of the Office Action, claims 1-26 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2006/0150035A1 to Fujimoto (hereinafter "Funimoto").

Claim 1, representative in part of the other rejected claims sets forth:

1. A method for taking over a failed filer owning disks that store file service data and owning at least one disk that is free of file service data by a clustered partner filer, the failed filer being adapted to perform a coredump in which, in the event of failure, memory contents of the failed filer are transferred to a disk, the method comprising the steps of:

changing, by the failed filer, a coredump attribute on the disk that is free of file service data (the "coredump disk") from a non-coredump state to a coredump state and maintaining the coredump attribute on other disks owned by the failed filer in a non-coredump state;

writing the memory contents to the coredump disk;

identifying, by the clustered partner filer, the coredump attribute of the other disks and taking ownership of the other disks

while allowing the failed filer to maintain ownership of the core-dump disk;

upon completion of the writing of the memory contents, changing the coredump attribute to a non-coredump state; and

upon identification of the non-coredump state in the coredump attribute of the coredump disk, taking ownership, by the clustered partner filer, of the coredump disk.

The Examiner asserted that paragraphs 0110-0112 disclose each of the elements of claim 1 wherein "[t]he non-coredump state is when the coredump disk is not in use."

Applicant respectfully submits that, contrary to the Examiner's characterization, the referenced portion of Fujimoto recites:

In the case where the dump exclusive LU is operated so as to be used in common with a plurality of channel control portions 110, the storage region of the dump exclusive LU may be controlled to be divided into a plurality of storage regions (hereinafter referred to as partitions) so that dump information corresponding to one channel control portion 110 can be stored in one partition. In this case, information concerning dump information stored in partitions of each LU can be managed by the LU as represented by a storage region management table 1500 shown in FIG. 15. Incidentally, the identifier of each partition set in the LU is set in a "Storage Region" field in FIG. 15. **Information indicating whether dump information is written or not is set in a "Dump Information" field.** The ID of a channel control portion 110 to which the partition is assigned is set in an "NAS ID" field. The time of generation of dump information is set in a "Dump Generation Time" field. Because channel control portions 110 are set so that dump information can be stored in accordance with each partition in this manner, for example, dump information output from a certain channel control portion 110 can be prevented from being overwritten by dump information output from another channel control portion 110.

Fujimoto is silent concerning disks having coredump attributes that are changeable between a non-coredump state and a coredump state according to

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whether the failed filer is currently writing its memory contents to disks. Applicant respectfully submits that, even if the "dump exclusive LU" if Fujimoto is a "coredump disk" the "dump information field" of Fujimoto does not store information that indicates whether a coredump is in progress to a particular disk. The dump information field contains information about whether "information is written" not about whether information is presently being written which is the function the coredump attributes claimed in claim 1. In particular Applicant submits that nothing in Fujitomo discloses **"changing, by the failed filer, a coredump attribute on the disk that is free of file service data (the "coredump disk") from a non-coredump state to a coredump state and maintaining the coredump attribute on other disks owned by the failed filer in a non-coredump state; [and] upon completion of the writing of the memory contents, changing the coredump attribute to a non-coredump state"** as particularly claimed.

Applicant further submits that nothing in Fujimoto teaches or suggests anything about a cluster partner processor taking ownership of disks including a coredump disk as claimed.

Since Futjitomo does not disclose each and every element of claim 1, Applicant respectfully submits that the rejection of claim 1 under 35 U.S.C. §102(e) is improper and should be withdrawn.

Applicant respectfully submits that each of the remaining rejections under 35 U.S.C. §102(e) are improper for the reasons cited above and should be withdrawn.

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and accordingly in condition for allowance.

Reconsideration is respectfully requested.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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